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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/614,245

07/08/2003

Karin Lynn Peterson

KLP-1

6079

7590

03/07/2006

Henry W. Cummings
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EXAMINER

GOODWIN, JEANNE M

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

5/1

Office Action Summary	Application No.		Applicant(s)	
	10/614,245		PETERSON, KARIN LYNN	
	Examiner		Art Unit	
	Jeanne-Marguerite Goodwin		2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/16/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13, 14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13, 14 and 16-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/8/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 13 is objected to because of the following informalities:
 - a. In claim 13, line 8: "said light and/or music source" lacks antecedent basis;
 - b. In claim 17, lines 1-2: "said two appliances" lacks antecedent basis; and
 - c. In claim 18, lines 1-2: "said second appliance" lacks antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13, 14 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 4,038,561 to Lorenz.

Regarding claim 13: Lorenz discloses a night sleeping electrical appliance assembly comprising at a tape player (10) and lamp (11) mounted on a housing (13), a timer (14) located on said housing adjacent said tape player, means for setting the time that the tape player and/or the lamp will remain on, means for connecting (said light and/or music source to electrical power; whereby when the assembly is plugged into a source of electric current, said timer may be set to a selected time (col. 2, lines 59-68) for said tape player and/or lamp will on, and after

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this selected time has elapsed, said tape player and/or lamp automatically turns off for sleep in quiet and darkness (col. 3, lines 1-68).

Regarding claim 14: Lorenz discloses an assembly according to claim 13, wherein said appliance is a source of music.

Regarding claim 16: Lorenz discloses an assembly according to claim 13 wherein said appliance is a light source.

Regarding claim 17: Lorenz discloses an assembly according to claim 13 wherein said two appliances are activated (col. 2, lines 41-58).

Regarding claim 18: Lorenz discloses an assembly according to claim 17 wherein said second appliance is a light source.

Response to Arguments

4. Applicant's arguments with respect to claims 13, 14 and 16-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 disclose related devices. US Patent 6,483,782 to Steinbach discloses time message delivery CD player alarm clock; US 5,555,536 to Rolf et al. discloses device for playing recorded audio at a selected time; US Patent 6,369,698 to Valente discloses a device with interval recorded playbacks; US Patent 3,840,924 to Hamilton discloses a combination clock, lamp, radio and tape player; US Patent 6,795,377 to Gorden discloses a

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personalized alarm clock with DVD/CD player; and US Patent 3,611,151 to Fernandez discloses a clock radio and tape player.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (571) 272-2104. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2861.

JMG
March 3, 2006



KAMMIE CUNEO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800